

ORDERS FOR TUESDAY, JUNE 24, 2003

Mr. GRASSLEY. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Tuesday, June 24. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time of the two leaders be reserved for their use later in the day, and the Senate then resume consideration of S. 1, the prescription drugs benefit bill.

I further ask consent that the Senate recess from 12:30 p.m. until 2:15 p.m. for the weekly party lunches.

Mr. REID. Reserving the right to object, a lot of progress has been made on this Medicare bill in the past week. The two managers have done an excellent job of administering this piece of legislation. But the key part of this whole procedure is going to be the next few days. I hope the two managers who get along so well understand the difficulty on both sides. They are going to have to use maturity and skills and experience in working us through these next few days. I hope everyone understands this legislation, even though we have had some speeches talking about how good it is—since it is as good as everyone contemplated it was, I hope that no one would try to make any drastic changes to the underlying legislation. It would take away a lot of the good work and good will that has been built up.

I know the senior Senator from Iowa and the senior Senator from Montana both understand that.

Mr. GRASSLEY. Mr. President, for the benefit of the distinguished Democratic whip, I just came from a meeting with Senator BAUCUS discussing some of the issues the Senator has suggested. When I am done here serving as acting leader, I will return to that same meeting and we will try to get some of these things worked out tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. GRASSLEY. For the information of all Senators, tomorrow the Senate will resume consideration of S. 1, the prescription drug benefit bill. We currently have approximately 33 amendments pending to the bill and several Senators have expressed interest in offering additional amendments during tomorrow's session. Under the order there will be two stacked votes beginning at 11 a.m. in relation to two of these amendments. In addition, there will be a vote in relation to the Dodd amendment following the policy luncheon recess. Therefore, I inform my colleagues that rollcall votes are expected to occur throughout the day tomorrow.

For the remainder of the week, the Senate continues consideration of the prescription drug benefits bill. The

leader has stated on several occasions that the Senate will complete action on this historic legislation prior to adjourning for the July 4th recess. Therefore, Members should expect rollcall votes throughout the days and into the evenings throughout this entire week. Senators are asked to make the necessary scheduling arrangements.

ORDER FOR ADJOURNMENT

Mr. GRASSLEY. If there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order, following the remarks of Senator LAUTENBERG for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES POLICY TOWARD ISRAEL

Mr. LAUTENBERG. Mr. President, I thank the Republican manager in the Chamber and my colleague, the Democratic whip, for allowing me time to speak as in morning business.

What I want to do is call attention to some incidents that have occurred recently and that were highlighted, in my view, in the New York Times, on the front page, today. I will read from parts of these articles. I want to explain the reason I am so exercised by what I see.

I ask unanimous consent that the full text of these two articles be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 23, 2003]

AFTER MISSILE RAID ON CONVOY, U.S. HUNTS FOR HUSSEIN'S DNA

(By Douglas Jehl with Eric Schmitt)

Washington, June 22.—An American Predator drone aircraft firing Hellfire missiles destroyed a convoy last week that was believed to be carrying fugitive Iraqi leaders, and experts are trying to determine whether those killed might have included Saddam Hussein or his sons, United States government officials said today.

The officials said they had obtained intelligence indicating that senior Iraqi leaders were traveling in the convoy. They suggested that the intelligence might have come from an intercepted telephone conversation or an informant. The attack took place Wednesday near the Syrian border in western Iraq.

There was no evidence so far, the officials said, to support the idea that Mr. Hussein or his sons might have been killed in the raid, and some officials were doubtful that they were. But they said intelligence teams, including DNA experts, were at the site to review the wreckage and assess the evidence.

Officials declined to say how many people, or vehicles, were in the convoy, but they said it had been completely destroyed. If DNA evidence was the only method of determining who had been killed, it could take days to get the results.

A British newspaper, The Observer, disclosed the attack in today's issue and said it had been an attempt to kill Mr. Hussein. The Pentagon and the United States Central Command declined today to discuss that report, and American officials who agreed to

discuss it on the condition of anonymity said the United States had never been certain that Mr. Hussein or his sons were in the convoy.

Still, administration officials said the strike underscored a growing belief among American intelligence officials that Mr. Hussein and his sons were not killed during the war and have remained in Iraq. The attack on the convoy showed the pressure of a stepped-up manhunt after information provided by a Hussein confidant who was detained last week.

The aide, Abid Hamid Mahmoud al-Tikriti, 46, who had served as the Iraqi leader's secretary and bodyguard, told his American interrogators that Mr. Hussein and his sons, Uday and Qusay, survived the war, and that he himself traveled to Syria after the conflict with Mr. Hussein's sons before being expelled, according to Defense Department officials who have said they have not been able to corroborate those claims.

A senior administration official said tonight that President Bush had been aware of the strike before it occurred but did not have to approve it. The official said a team was moving in to try to recover the DNA of those in the convoy, but it was unclear if they had yet arrived at the scene.

Some American officials described the attack as having been in the same category as the March 19 and April 7 attacks on compounds where Mr. Hussein and his sons were believed to be hiding. American intelligence analysts now believe that Mr. Hussein and his sons probably survived both those attacks.

A senior administration official described the intelligence that led to the Wednesday attack as a good lead. But another administration official said, "I have no information that leads us to believe we got Saddam." A military officer said intelligence reports that Mr. Hussein or his sons might have been in the convoy might have been based more on hope than evidence.

"There might be people crossing their fingers, but it's just like a year ago, when they were crossing their fingers" in the hopes of capturing Osama bin Laden, one military official said, Mr. bin Laden, Al Qaeda's leader, is still believed to be alive after 21 months in which he has been the target of an intense manhunt.

In a television interview today, King Abdullah of Jordan said he had heard reports several days ago that Mr. Hussein and his sons were in Iraq's western desert region. But he said he had heard many reports of their whereabouts in recent weeks and months and did not know if this one was accurate.

"It's like Elvis," King Abdullah said on the ABC News program "this Week." "There's a lot of sightings of him all over the place."

Members of the Senate Intelligence Committee, including the chairman, Senator Pat Roberts, Republican of Kansas, said in television appearances today that they had not been informed of any new missile strike aimed at the Iraqi leader. Still, Senator Roberts, speaking on "Fox News Sunday," said, "I will not be surprised at any military action that would lead to the possibility that we have now finally killed Saddam Hussein."

Senator John D. Rockefeller IV of West Virginia, the ranking Democrat on the committee, said on the same program that any confirmation of the death of Mr. Hussein would serve to undercut the morale of fighters who are staging hit-and-run attacks on American soldiers and at the same time instill confidence among the broader Iraqi public.

The search for Mr. Hussein has been led by Task Force 20, a secret military organization that is working closely with American intelligence agencies and whose members include

special Army and Navy counterterrorist teams.

The United States is flying U-2 spy planes and RC-135 electronic eavesdropping aircraft over Iraq on a regular basis. Both are able to scoop up electronic emissions and pinpointing locations for strike aircraft or Predator drones, which are piloted by remote control and can be either armed or unarmed; they are being flown from an air base in Iraq.

One senior administration official noted that Hellfire missile attacks on convoys by the Predators were rare and would not have been carried out except on the basis of good intelligence about an important target.

Other officials said that the United States had obtained good reconnaissance photos showing that the convoy had been destroyed, but that those photographs did not clarify who had been in the wreckage.

"Although we do have good intelligence, you don't know if you have someone until you've seen the analysis from the ground," said one senior American officer.

[From the New York Times, June 23, 2003]

ISRAELIS AND PALESTINIANS PRESSED TO COMPROMISE

(By Steven R. Weisman)

SHUNEH, JORDAN, June 22.—Secretary of State Colin L. Powell joined with top European, Arab and United Nations diplomats today to press for concessions in peace talks between Israel and the Palestinians, but their efforts were punctured by violence in the Gaza Strip that left four Palestinians dead.

In an illustration of the frustrations of the Middle East, diplomats here reported that before the latest deaths in Gaza, negotiators had made some progress in their talks over transferring security in most of the Gaza Strip from Israel to the Palestinian Authority. There was no telling tonight whether that progress would be set back.

The four Palestinians from the Aksa Martyrs Brigades were first said to have been killed today by Israeli tank fire, though other reports said they might have died when a bomb they were planting exploded prematurely.

The day's events lent a surreal cast to the scene here at the World Economic Forum in a resort on the Dead Sea, where more than 1,200 envoys, officials, business leaders and other conferees hailed recent progress in the Israeli-Palestinian situation even as the bitterness of that dispute coursed through countless conversations.

Coming to the end of one of his longest trips as secretary of state, Mr. Powell started in the morning by expressing mild but unmistakable criticism of Israel's killing of a top Hamas leader on Saturday night.

"I regret we had an incident that could be an impediment to progress," Mr. Powell said, referring to the killing of Abdullah Qawasmeh, a leading Hamas figure. "I would much rather on a Sunday morning wake up to find that we are moving forward, and it was not necessary to have this kind of activity on either side."

The secretary's terse reference to Israel's latest strike against suspected Palestinian terrorists marked the second time in two weeks that the United States felt compelled to criticize Israel, if only obliquely. The week before last, President Bush rebuked Israel for an attempt to kill a Hamas leader, saying it had undercut peace talks.

But the rebuke for Israel was mixed today with exhortations directed at the Palestinians by Mr. Powell and others to take action to stop attacks on Israeli soldiers and citizens so as to fortify Middle East peace efforts that have looked more promising recently than at any time in the past two and a half years.

Two diplomatic tracks were underway in Israel that were the focus of much of the discussion here on the Dead Sea. One was Israel's negotiation with the Palestinians on Gaza. The other was the Palestinian Authority's negotiations to achieve a cease-fire with Hamas.

A cease-fire with Hamas is supported by the Palestinians' leadership and by its main Arab backers, Saudi Arabia, Egypt and Jordan. All of them say they would prefer such an arrangement to a civil war between the militant groups and the shaky security forces under Mahmoud Abbas, the Palestinian prime minister.

American and Israeli officials say they are less impressed with the cease-fire talks, explaining that if there is a cease-fire, it almost certainly will have to be followed by aggressive actions by Palestinian security forces against Hamas, including arrests, forced disarmament and potential clashes.

For now, the negotiations on the Gaza Strip and the Hamas cease-fire talks, while not officially connected, appear to be intertwined, making progress on both even more difficult. Arab, European and American diplomats all say, for example, that Mr. Abbas may be waiting for a cease-fire before reaching an accord to take over the Gaza area.

On the other hand, Israel's prime minister, Ariel Sharon, may be holding up approval of a deal on the Gaza Strip until he sees how Mr. Abbas is going to handle Hamas. Some here speculate that Mr. Sharon may also be waiting to close the Gaza deal when Condoleezza Rice, President Bush's national security adviser, visits Israel late next week.

Arab diplomats attending the economic forum here assailed Israel for the killing of Mr. Qawasmeh and for its policy of pinpoint killings of militant leaders. Mr. Abbas's son said here that he thought Israel was deliberately trying to sabotage the cease-fire negotiations.

Mr. Powell, who left Washington a week ago for Cambodia and then traveled to Bangladesh before arriving here on Thursday night, made an emotional appeal for restraint by both Palestinians and Israelis at a news conference and in a speech this afternoon.

No less significant, Mr. Powell joined with Secretary General Kofi Annan of the United Nations and the foreign ministers of the European Union and Russia to sound the same theme. The four officials, sometimes referred to as the quartet, devised the staged peace plan for a Palestinian state known as the road map.

In a statement read by Mr. Annan, the four officials said they "deplore and condemn the brutal terror attacks against Israeli citizens" carried out by Palestinian militants, citing not only Hamas but Palestinian Islamic Jihad and Al Aksa Martyrs Brigades. "All Palestinian individuals and groups must end acts of terror against all Israelis, anywhere," the group said.

But there was also tough talk directed at Israel, including "deep concern over Israeli military actions that result in the killing of innocent Palestinians and other civilians."

Mr. Annan, going beyond the statement, called on Israel "not to use disproportionate force in civilian areas," to stop demolitions of Palestinian homes and to stop engaging in "extra-judicial killings."

The talk in the corridors here was about the Hamas and Gaza negotiations next door in Israel, however. A diplomat close to the negotiators said they seemed "pretty close" to resolving the Gaza dispute, which has centered on Israel's demand that it be allowed to maintain a security presence along the main road that runs the length of the Gaza Strip.

Israel maintains that it must keep some forces on the road both to protect Israeli set-

tlers in several pockets of Gaza and to make sure that Hamas and other groups do not regroup and arm themselves to carry out attacks in Israel itself.

A source of surprise to many Arab and European diplomats here is the increasing evidence of the United States' willingness to make demands on Israel to take parallel actions—not only by giving up the Gaza Strip, but also by dismantling "outposts" of settlements and releasing prisoners.

The American demands on Israel are thought to be based on the belief that without such actions, Mr. Abbas will not have the political support to act against Hamas, diplomats say. "The Americans are not really letting the Israelis off the hook on this," said a diplomat. "We all realize that time is running out."

Mr. LAUTENBERG. The first article from the New York Times is headlined "After Missile Raid on Convoy, U.S. Hunts for Hussein's DNA."

An American Predator drone aircraft firing Hellfire missiles destroyed a convoy last week that was believed to be carrying fugitive Iraqi leaders, and experts are trying to determine whether those killed might have included Saddam Hussein or his sons, United States government officials said today.

The officials said they had obtained intelligence indicating that senior Iraqi leaders were traveling in the convoy. They suggested that the intelligence might have come from an intercepted telephone conversation or an informant. The attack took place Wednesday near the Syrian border in western Iraq.

There was no evidence so far, the officials said, to support the idea that Mr. Hussein or his sons might have been killed in the raid, and some officials were doubtful that they were. But they said intelligence teams, including DNA experts, were at the site to review the wreckage and assess the evidence.

Officials declined to say how many people, or vehicles, were in the convoy, but they said it had been completely destroyed. If DNA evidence was the only method of determining who had been killed, it could take days to get the results.

The other article is printed almost side by side on the front page of the New York Times today. I read the first paragraph of the second article:

Secretary of State Colin L. Powell joined with European, Arab and United Nations diplomats today to press for concessions in peace talks between Israel and the Palestinians, but their efforts were punctured by violence in the Gaza Strip that left four Palestinians dead.

Further on:

Coming to the end of one of his longest trips as Secretary of State, Mr. Powell started in the morning by expressing mild but unmistakable criticism of Israel's killing of a top Hamas leader on Saturday night.

"I regret that we had an incident that could be an impediment to progress," Mr. Powell said, referring to the killing of Abdullah Qawasmeh, a leading Hamas figure. "I would much rather on a Sunday morning wake up to find that we are moving forward, and it wasn't necessary to have this kind of activity on either side."

The Secretary's reference to Israel's latest strike against suspected Palestinian terrorists marked the second time in 2 weeks that the United States felt compelled to criticize Israel, if only obliquely. The week before last, President Bush rebuked Israel for an attempt to kill a Hamas leader, saying it undercut peace talks.

I call attention to the two stories that appeared side by side on the front page of today's New York Times with the headlines they were carrying. I was struck by the fact that officials are still trying to determine how many people were killed in the missile attack. The U.S. military struck the convoy that they believed carried wanted terrorists. And I support that, by the way. We are still waiting for CIA and Department of Defense corroboration that, indeed, regime members rather than civilians were hit in the attack.

The other story reports, as I mentioned before, how Secretary Powell expressed mild but unmistakable criticism of Israel's killing of a top Hamas official this past Saturday.

It just so happens that this past weekend, the Israeli Defense Forces targeted a Hamas leader by the name of Abdullah Qawasmeh who masterminded the death of 52 Israelis. If this number were converted to American lives on a proportionate basis, he would have killed more than 2,400 of our citizens. How would we react to that?

There is a curious inconsistency between how this administration is conducting its global war against terrorists—which, again, I support, including operations against remnants of the Iraqi regime—and how we expect our ally, Israel, to deal with its terrorist threats.

I support a roadmap to peace, and I am pleased to see the administration live up to its responsibilities by reentering as a mediator in one of the

world's most intractable conflicts. But I also believe that no peace process or roadmap will ever work when terrorists are placated or appeased. The roadmap can only go forward when all parties uniformly denounce and resist Hamas, Jihad, and the other enemies of peace.

So I believe we must support Israel in its war against terrorists and act consistently in conducting our foreign policy.

Mr. President, with that, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:42 p.m., adjourned until Tuesday, June 24, 2003, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 23, 2003:

DEPARTMENT OF HOMELAND SECURITY

FRANK LIBUTTI, OF NEW YORK, TO BE UNDER SECRETARY FOR INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION, DEPARTMENT OF HOMELAND SECURITY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL JOHN B. HANDY
BRIGADIER GENERAL MARVIN S. MAYES
BRIGADIER GENERAL DOUGLAS R. MOORE
BRIGADIER GENERAL RICHARD L. TESTA

To be brigadier general

COLONEL JOSEPH G. BALSUS
COLONEL BOBBY L. BRITTAIN
COLONEL THOMAS J. DEARDORFF
COLONEL MICHAEL P. HICKEY
COLONEL CHARLES V. ICKES II
COLONEL WILLIAM B. JERNIGAN
COLONEL HENRY C. MORROW
COLONEL DONALD J. QUENNEVILLE
COLONEL DANIEL R. SCACE
COLONEL TIMOTHY W. SCOTT
COLONEL EUGENE A. SEVI
COLONEL DARRYL D. M. WONG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN W. ROSA, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8069:

To be major general

BRIG. GEN. BARBARA C. BRANNON

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) DUNCAN C. SMITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral

REAR ADM. (LH) SALLY BRICE-O'HARA
REAR ADM. (LH) HARVEY E. JOHNSON
REAR ADM. (LH) DAVID W. KUNKEL
REAR ADM. (LH) DAVID B. PETERMAN

COAST GUARD NOMINATION OF MARY ANN C. GOSLING.